

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:06CV81-1-MU

SILVANO GUERRA DIAZ,)
)
Petitioner,)
)
v.)
)
REGINALD WEISNER,)
)
Respondent.)
)

O R D E R

THIS MATTER comes before the Court upon Petitioner's Motion for Entry of Default, filed May 4, 2006.

A review of the record in this case reveals that the Order requiring the Attorney General to respond to Petitioner's federal habeas petition was not mailed to the correct address until May 9, 2006. Consequently, the Attorney General has not failed to timely respond to Petitioner's federal habeas petition.

THEREFORE, IT IS HEREBY ORDERED that Petitioner's Motion for Entry of Default Judgment (Doc. # 10) is DENIED.

Signed: May 18, 2006



Graham C. Mullen
United States District Judge

